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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/601,712  | 09/27/2000  | Kenneth Austin       | ROY-007             | 9535             |
| 2387  | 7590        | 11/03/2004           | EXAMINER            |                  |
| OLSON & HIERL, LTD.<br>20 NORTH WACKER DRIVE<br>36TH FLOOR<br>CHICAGO, IL 60606 |             |                      | TRAN, THAI Q        |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2616                |                  |

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/601,712

**Applicant(s)**

AUSTIN, KENNETH

**Examiner**

Thai Tran

**Art Unit**

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-47 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Election/Restrictions*

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

2. In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-32 and 40-46, drawn to a video storage media control system.

Group II, claim(s) 33, drawn to a video storage media control system.

Group III, claim(s) 34, drawn to a video tape control system.

Group IV, claim(s) 35, drawn to a storage video tape.

Group V, claim(s) 36-38, drawn to a closed loop video recorder.

Group VI, claim(s) 39, drawn to a system for controlling a video recorder or other media device.

Group VII, claim(s) 47, drawn to a video recorder or other media device index generation method.

3. The inventions listed as Groups I-VI do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

Group I is directed to a video storage media control system and does not include special technical features of the video storage media control system of Group II, or the video tape control system of Group III, or the storage video tape of Group IV, or the closed loop video recorder of Group V, or the system for controlling a video recorder or other media device of Group VI, or the video recorder or other media device index generation method of Group VII.

Group II is directed to a video storage media control system and does not include special technical features of the video storage media control system of Group I, or the video tape control system of Group III, or the storage video tape of Group IV, or the

Art Unit: 2616

closed loop video recorder of Group V, or the system for controlling a video recorder or other media device of Group VI, or the video recorder or other media device index generation method of Group VII.

Group III is directed to a video tape control system and does not include special technical features of the video storage media control system of Group I, or the video storage media control system of Group II, or the storage video tape of Group IV, or the closed loop video recorder of Group V, or the system for controlling a video recorder or other media device of Group VI, or the video recorder or other media device index generation method of Group VII.

Group IV is directed to a storage video tape and does not include special technical features of the video storage media control system of Group I, or the video storage media control system of Group II, or the video tape control system of Group III, or the closed loop video recorder of Group V, or the system for controlling a video recorder or other media device of Group VI, or the video recorder or other media device index generation method of Group VII.

Group V is directed to a closed loop video recorder or other media device and does not include special technical features of the video storage media control system of Group I, or the video storage media control system of Group II, or the video tape control system of Group III, or the storage video tape of Group IV, or the system for controlling a video recorder or other media device of Group VI, or the video recorder or other media device index generation method of Group VII.

Group VI is directed to a system for controlling a video recorder or other media device and does not include special technical features of the video storage media control system of Group I, or the video storage media control system of Group II, or the video tape control system of Group III, or the storage video tape of Group IV, or the closed loop video recorder or other media device control system of Group V, or the video recorder or other media device index generation method of Group VII.

Group VII is directed to a video recorder or other media device index generation method and does not include special technical features of the video storage media control system of Group I, or the video storage media control system of Group II, or the video tape control system of Group III, or the storage video tape of Group IV, or the closed loop video recorder or other media device control system of Group V, or the system for controlling a video recorder or other media device of Group VI.

4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Art Unit: 2616

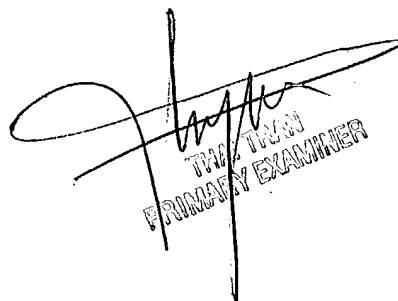
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (703) 305-4725.

The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTQ



THAI TRAN  
PRIMARY EXAMINER